

ICPS newsletter®

The Visegrad Four: Ready for a common visa policy regarding Ukraine?

Czech Republic, Hungary, Poland and Slovakia are currently reviewing the options for using a common approach to issuing visas to Ukrainian citizens. The issue of harmonization is complicated by the different goals being pursued by the four countries that belong to the Visegrad Group. The Czech Republic and Slovakia would like to join the Schengen zone as soon as possible and to protect their borders from penetration by illegal migrants. Poland is proposing a bold initiative to offer visas at no cost, supported by Hungary, which has a large diaspora in Ukraine. The results of an international study in which ICPS took part are being presented to EU politicians and citizens

The Visegrad states have expressed serious reservations about whether they need to align their consular and visa policies towards Ukraine and Moldova so as to facilitate the travel of their eastern neighbors—and whether they are likely to do so. Following Ukraine's recent goodwill gesture towards the EU, all the Visegrad states have established easier conditions for Ukrainian citizens to obtain a visa. However, differences remain among the four as to the form and purpose of such visas. At the policy level, these differences reflect some deep disparities in the approach towards the visa as policy instrument and towards their eastern neighbors. These divergent assumptions limit the likelihood that there will be deliberate harmonization of positions among the four countries.

The Czech Republic and Slovakia are being cautious

One position—close to that of most EU member states and the Commission itself—was adopted by the Czech Republic and Slovakia. It makes the visa-issuing process the first barrier against potential illegal immigrants and requires that applicants prove their good intentions during an interview. Countries adopting this approach are concerned about the impact on labor markets and potential transit migration.

Since 1998, the Czech Republic and Slovakia have clearly put a priority on accession to the EU, subordinating relations with Ukraine or other CIS countries, insofar as they could be in

conflict with the EU agenda. Both countries have consistently affirmed that any cooperation in Justice and Home Affairs needs to be conducted within the EU framework. They have generally been content with the Commission's proposal of a European Neighborhood Policy.

These two countries are likely to continue stressing the need to subordinate national visa policies to the overarching objective of integration into the Schengen zone and cannot be expected to liberalize their restrictive policies in the spirit of the Polish and Hungarian proposals.

Poland and Hungary are ready to stir up old Europe

Poland and, to a lesser extent, Hungary have adopted a contrasting position, according to which visas are not so much a tool to fight criminality as instruments of foreign policy. These two countries have some of the longest stretches of the external EU border and have been at the forefront of tightening border controls.

At the same time, they have introduced asymmetrical policies for their non-EU neighbors by granting visas free of charge. On one hand, these two states are seeking support from the EU for improving border controls and, on the other, they are investing in the expansion of their consular networks. It can be concluded that Poland and Hungary have been able to demonstrate that their liberal visa policies vis-a-vis their neighbors are compatible with

ICPS named the best think-tank in Ukraine

The Global Development Network (GDN) has declared the International Centre for Policy Studies the most successful think-tank in Ukraine. In a letter received 8 November 2005, ICPS was informed that the Global Development Network, which is currently working on a project entitled "Bridging Research and Policy," had chosen ICPS as the most successful think-tank in Ukraine. According to the letter, GDN plans to send its representative to study the particular reasons and factors behind ICPS's impressive achievement.

The Global Development Network (<http://www.gdnet.org/>) is the world's largest network of research and policy institutes working together to address the problems of national and regional development. GDN was set up in 1999 with the participation of the World Bank.

efforts at effective border control, and that the assurance of tight controls on the external EU border allows some flexibility in visa administration—a concept that is recognized by the EU.

Poland and Hungary have their own particular reasons for adopting more liberal solutions, which do not necessarily apply directly to the two other Visegrad countries. Warsaw emphasizes special status for its neighbor, affirmed by Poland's support for Ukraine's EU membership. As a result, Poland is interested in covering Ukraine as a whole with a network of consulates, something it has reinforced not only in the immediate neighborhood—Lviv and Lutsk—but also in eastern and southern Ukraine—Kharkiv and Odesa.

Hungary considers its two neighbors with large Hungarian minorities equally, although they are still on the EU's black

list. It has focused on making available preferential five-year multiple entry visas for those with close family, business, cultural or other ties in Hungary. This primarily applies to, but is not explicitly limited to, members of the Hungarian minority living in the immediate vicinity of the border.

Temporary solutions may prove more effective than universal ones

In the short- to medium-term, limited, experimental forms of ad hoc bilateral cooperation such as exchanging information, forwarding applications, and placing help-desks at another state's consulate, could be introduced in selected locations and areas where such programs would clearly improve access to visa procedures for a significant number of applicants.

The key question for the feasibility of any partial solutions is not the extent to which they improve each of the Visegrad countries' individual policies. Given their clear objective of integration into the Schengen zone within the next few years, these partial solutions could either be seen as diverting resources and efforts from the main goal or as inferior to the proposals that are tabled within the EU at large, such as proposals for full representation or establishing a common consular policy.

Nevertheless, the dampening effect of the recent failure of the "technocratic" approach to further deepening EU integration evident in the French and Dutch referenda reminds us that partial solutions, based on genuine demand from both the affected parties—in this case, visa applicants—and the individual member states and interest-based coalitions of states—such as those with an external EU border—are still the most certain way forward.

Eight steps to a better policy

The latest study proposes eight basic steps to further harmonizing the visa policies of the Visegrad Four:

1. Develop professional standards for consular activities among Visegrad countries and agree common activities with the European Neighborhood Policy.

2. Institute procedures for accelerated issuing of visas for desirable applicants: business professionals, scientists, students and specialists.
3. Organize the ongoing exchange of information among Visegrad countries about undesirable individuals.
4. To balance the flow of visitors, carry out joint public information campaigns regarding tourist options, market needs for specific specialists, and the negative consequences of illegal migration.
5. Arrange access for consular officials to information about the passport data, criminal record, places of residence, and employment of applicants.
6. Encourage the countries of old Europe to join the common visa policy with regard to Ukraine. Develop a communication strategy that would effectively present them the possible benefits of doing so.
7. Recognize and apply the achievements of individual countries, such as Czech experience with managing migrant workers, Polish know-how in developing a consular network, Slovak and Hungarian experience with supporting their diasporas.
8. Propose to the Council and the European Commission that the cost of Schengen visas be reduced. ■

For more detail on the conclusions of the study, "The Visegrad States between Schengen and Neighbourhood" (in English), visit the website of the Institute of Public Affairs in Warsaw at <http://www.isp.org.pl/?v=page&id=274&ln=eng>. The report was published in Poland and presented in Warsaw, Prague, Budapest and Brussels. ICPS participated in the research within the framework of the project, "A study of the capacity for consular and visa cooperation among Visegrad Four in regard to the residents of Ukraine and Moldova." This project was financed for 2004–2005 by the LGI program.

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Political Commentary wraps up events in October

The reluctance of the new Government to aggressively move ahead with economic reforms seems a mistake. Taking the chance on swift changes would improve the election prospects of the Nasha Ukraina National Union and allow the Government that is formed after the election to quickly get down to the business of implementation. Instead, President Yushchenko continues to lose political support. The opposition is already in a position to form a situational majority in the Verkhovna Rada. Three forces stand the best chance of forming a ruling coalition after the VR elections in March 2006: Nasha Ukraina, BYT and Party of the Regions.

The president's new team is working to improve relations with the Kremlin. But Moscow, without actually refusing to take Mr. Yushchenko's hand, is counting on the eventual success of the current opposition. The "Orange" Administration is treading water in terms of achieving its objectives with regard to Russia, from the final demarcation of mutual borders to resolving the conditions for berthing the Russian fleet in Crimea. The EU, by contrast, is preparing to give Ukraine market economy status, while the US is getting ready to cancel the Jackson–Vanik amendment once and for all. Washington and Brussels are hoping that the new regime in Kyiv attains some successes, however few those might be.

One of these turned out to be the extremely successful re-sale of KryvorizhStal. The exemplary tender, which brought Ukraine six times more money than the original privatization in 2004, was a brilliant outcome to Mr. Yushchenko's campaign promise of a more fair privatization of the country's largest steelmill. Another decision by the Rada and President was disheartening: Offering immunity to deputies in local councils will only encourage crooks to enter local politics.

The decline in economic growth appears to be over. But pessimistic views have started dominating among Ukrainian consumers. The recent trade surplus has turned into a deficit. Still, real personal incomes continue to grow at a fast pace. The ICPS outlook is for economic growth to accelerate by the end of 2005.

For more about political commentary, see <http://www.icps.kiev.ua/eng/publications/pc.html>.

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